

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF CONSUMER ADVOCATE

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April 27, 2017

Rosemary Chiavetta, Secretary
PA Public Utility Commission
Commonwealth Keystone Bldg.
400 North Street
Harrisburg, PA 17120

RE: Petition of PECO Energy Company for Approval of Its Default Service
Program (Customer Assistance Program Shopping Plan) (DSP III)
Docket No. P-2012-2283641

Petition of PECO Energy Company for Approval of its Default Service
Program for the Period From June 1, 2017 Through May 31, 2021
Docket No. P-2016-2534980

Dear Secretary Chiavetta:

Enclosed please find the Office of Consumer Advocate's Prehearing Memorandum in the
above-referenced proceeding.

Copies have been served per the attached Certificate of Service.

Sincerely,

/s/ Christy M. Appleby
Christy M. Appleby
Assistant Consumer Advocate
PA Attorney I.D. # 85824
E-Mail: CAappleby@paoca.org

Enclosures

cc: Hon. Angela T. Jones, ALJ
Certificate of Service

232332

BEFORE THE
PENNSYLVANIA PUBLIC UTILITY COMMISSION

Petition of PECO Energy Company for Approval	:		
Of its Default Service Program	:	Docket No.	P-2012-2283641
(Customer Assistance Program Shopping Plan)	:		
(DSP III)	:		
	:		
	:		
Petition of PECO Energy Company for Approval	:		
Of its Default Service Program for the Period From	:	Docket No.	P-2016-2534980
June 1, 2017 Through May 31, 2021	:		

PREHEARING MEMORANDUM
OF THE
OFFICE OF CONSUMER ADVOCATE

I. INTRODUCTION

On March 16, 2017, the Pennsylvania Public Utility Commission issued an Order on Reconsideration in the Petition of PECO Energy Company for Approval of its Default Service Program for June 1, 2017 through May 31, 2021. Petition of PECO Energy Company for Approval of its Default Service Program for the Period from June 1, 2017 through May 31, 2021, Docket No. P-2016-2534980 (March 16, 2017) (Reconsideration Order). The Reconsideration Order directed that the issue of PECO’s Customer Assistance Program (CAP) retail electric Shopping Plan be consolidated with the existing Remand proceeding at Docket No. P-2012-2283641, also addressing CAP retail electric shopping. The Reconsideration Order referred the consolidated dockets to the Office of Administrative Law Judge for a recommended decision concerning the future of CAP customer electric shopping in PECO’s service territory.

The matter was assigned to the Office of Administrative Law PECO Judge for investigation and review and was further assigned to Administrative Law Judge Angela T. Jones.

On April 12, 2017, ALJ Jones issued a Prehearing Order. In addition, a Prehearing Conference was set for May 1, 2017. The OCA submits this Prehearing Conference Memorandum in accordance with the ALJ's April 12 Prehearing Order.

II. ISSUES AND SUB-ISSUES

The OCA has preliminarily identified several issues which it proposes to continue to explore in this matter. These issues include, but are not limited to the impact of CAP shopping as related to:

- (1) CAP customers' continuing ability to meet the payment obligations of CAP;
- (2) The terms and conditions for serving shopping CAP customers, including exemption from cancellation fees;
- (3) The impact CAP shopping may have on non-CAP residential ratepayers;
- (4) Non-discriminatory treatment of CAP customers; and
- (5) Appropriate consumer protections.

The OCA reserves the right to address additional issues in response to formal and informal discovery responses and issues raised by other parties to the proceeding.

III. WITNESSES

The OCA will present the testimony of Roger D. Colton in this proceeding. Mr. Colton will present testimony in written form and also will attach various exhibits and explanatory documents which will assist in the presentation of the OCA's case. In order to expedite the resolution of this proceeding, the OCA requests that copies of all interrogatories, testimony, and answers to interrogatories be mailed directly to Mr. Colton at the following address, as well as mailing copies to the counsel for the OCA.

Roger D. Colton
Fisher, Sheehan and Colton
34 Warwick Road
Belmont, MA 02478
Telephone: (617) 484-0597
Fax: (617) 484-0594
E-mail: roger@fsconline.com

The OCA specifically reserves the right to call additional witnesses, as necessary. As soon as the OCA has determined whether an additional witness or witnesses will be necessary for any portion of its case, the OCA will notify Administrative Law Judge Jones and all parties of record.

IV. SERVICE ON THE OCA

The OCA will be represented in this case by Assistant Consumer Advocate Christy M. Appleby and Senior Assistant Consumer Advocate Aron J. Beatty. Two copies of the documents should be served on the OCA as follows:

Christy M. Appleby
Assistant Consumer Advocate
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V. DISCOVERY

The OCA does not propose any discovery rule modifications.

VI. SETTLEMENT

The OCA is willing to engage in settlement discussions with the Company and other parties.

VII. SCHEDULE

The OCA is working with the parties to develop a mutually agreeable procedural schedule.

Respectfully Submitted,

/s/ Christy M. Appleby
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DATE: April 27, 2017

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CERTIFICATE OF SERVICE

Re: Petition of PECO Energy Company for Approval of Its Default Service Program
(Customer Assistance Program Shopping Plan) (DSP III)
Docket No. P-2012-2283641

Petition of PECO Energy Company for Approval of its Default Service Program for the
Period from June 1, 2017 through May 31, 2021
Docket No. P-2016-2534980

I hereby certify that I have this day served a true copy of the following document, the
Office of Consumer Advocate's Prehearing Memorandum, upon parties of record in this
proceeding in accordance with the requirements of 52 Pa. Code Section 1.54 (relating to service
by a participant), in the manner and upon the persons listed below:

Dated this 27th day of April 2017.

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